

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RONALD J. ALLISON,

Plaintiff,

v.

STEIN FORENSICS UNIT, TIM,

Defendants.

Case No. 2:21-cv-01548-APG-EJY

ORDER

On August 19, 2021, Plaintiff, an inmate in the custody of Stein Forensics Unit, submitted a civil rights complaint under 42 U.S.C. § 1983. ECF No. 1-1. Plaintiff's complaint failed to comply with Local Special Rule 2-1 requiring a civil rights complaint filed by a person who is not represented by an attorney be submitted on the form provided by the Court or be legible and contain substantially all the information called for by the Court's form. Plaintiff's complaint does neither.

Plaintiff also did not submit an application to proceed *in forma pauperis* or pay the full \$402 filing fee in this matter. Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an inmate seeking to commence a civil action may apply to proceed *in forma pauperis* in order to file the civil action without prepaying the full \$402 filing fee. To apply for *in forma pauperis* status, the inmate must submit all three of the following documents to the Court:

- (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, on this Court's approved form (i.e. pages 1 through 3 with the inmate's two signatures on page 3),
- (2) a **Financial Certificate** properly signed by both the inmate and a facility or jail official (i.e. page 4 of this Court's approved form), and
- (3) a copy of the **inmate's facility or jail trust fund account statement for the previous six-month period**. If Plaintiff has not been at the facility a full six-month period, Plaintiff must still submit an inmate account statement for the dates he has been present at the facility.

II. ORDER

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court shall send to Plaintiff the approved form for filing a § 1983 complaint, instructions for the same, and a copy of his original document at ECF No. 1-1.

IT IS FURTHER ORDERED that the Clerk of the Court shall send Plaintiff the approved form application to proceed *in forma pauperis* by an inmate, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERD that Plaintiff shall have until on or before **January 7, 2022** to submit a complaint to the Court in compliance with LSR 2-1.

IT IS FURTHER ORDERED that on or before **January 7, 2022**, Plaintiff shall either pay the full \$402 filing fee for a civil action (which includes the \$350 filing fee and the \$52 administrative fee) or file with the Court:

- (1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this Court's approved form (i.e. pages 1 through 3 of the form with the inmate's two signatures on page 3),
- (2) a **Financial Certificate** properly signed by both the inmate and a facility or jail official (i.e. page 4 of this Court's approved form), and
- (3) a copy of the **inmate's facility or jail trust fund account statement for the previous six-month period.**

IT IS FURTHER ORDERED that, if Plaintiff does not file a complaint in compliance with LSR 2-1 on or before **January 7, 2022**, together with his application to proceed *in forma pauperis*, this case will be subject to dismissal **without prejudice** for Plaintiff to refile the case with the Court, under a new case number, when Plaintiff is able to file a complaint in compliance with LSR 2-1.

DATED this 8th day of December, 2021.

Elayna J. Youchak
ELAYNA J. YOUCHAK
UNITED STATES MAGISTRATE JUDGE